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**EXPEDITED PROCEDURE - EXAMINING GROUP 3762**

**SN 09/970,146**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Eric G. Lovett et al.	Examiner:	Kennedy Schaetzle
Serial No.:	09/970,146	Group Art Unit:	3762
Filed:	October 2, 2001	Docket No.:	279.262US1
Title:	MEDICAL DEVICE HAVING RHEOMETRIC MATERIALS AND METHOD THEREFOR		

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**RESPONSE UNDER 37 C.F.R. 1.116**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

This responds to the Final Office Action dated October 5, 2005.

RESPONSE UNDER 37 CFR § 1.116 - EXPEDITED PROCEDURE

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**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (612) 371-2117 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.


Respectfully submitted,

ERIC G. LOVETT ET AL.

By their Representatives,

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Date 12/5/05

By   
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Reg. No. 55,506

**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop AF, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 5 day of December, 2005.



Name



Signature